

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Commissioner of Motor Vehicles,  
Plaintiff,

-against-

Saverio Amelio, PPA and Carmine P. Amelio,  
Defendants.

24-CV-3543 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

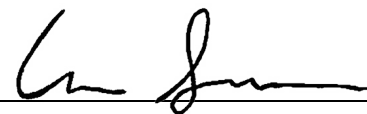
Defendants removed this case from the Superior Court, Judicial District of Litchfield at Torrington, Connecticut. Dkt. 1. The Court remanded the case shortly thereafter for improper removal. Dkt. 4.

The Court now has before it a request to proceed *in forma pauperis* (IFP). Dkt. 2. Defendant Carmine Amelio's application omits significant information, for example the last date of employment, gross monthly wages at the time, the amount of rental income received and what is expected in the future, and a breakdown of monthly expenses. Without this information, the Court cannot find that defendant Carmine Amelio is unable to pay court fees. *See* 28 U.S. Code § 1915; *Otazhonov v. MTA*, 2023 WL 4034359, at \*2 (E.D.N.Y. June 15, 2023). So the application is DENIED.

Furthermore, the Court certifies that an appeal in this case is not taken in good faith. *See* Fed. R. App. P. 24(a)(3). "Good faith is judged by an objective standard, and if an appeal is frivolous it is not taken in good faith." *Burgess v. Costco Wholesale Corp.*, 2024 WL 4756349, at \*1 (S.D.N.Y. Oct. 29, 2024) (citation omitted). It is beyond dispute that the proper venue for a removed case is the federal district that "embrac[es]" the state court. 28 U.S.C. § 1441(a). This case originated in Connecticut state court, and the federal district that embraces Connecticut state courts is the District of Connecticut, not the Southern District of New York.

SO ORDERED.

Dated: December 26, 2024  
New York, New York



ARUN SUBRAMANIAN  
United States District Judge